

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM-M-5266-2015 (O&M)

Date of decision:21.04.2015

Jatinder Singh @ Jippy

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

1. To be referred to the Reporters or not ?
2. Whether the judgment should be reported in the Digest ?

Present: Mr.Jagjot Singh, Advocate for
Mr.Kunal Dawar, Advocate for the petitioner.

Mr. K.D.Sachdeva, Addl. A.G., Punjab.

RAMESHWAR SINGH MALIK, J. (Oral)

CRM-12613-2015

Applicant seeks to place on record Annexure P-5 (colly) and also seeks exemption from filing the certified and true typed copies thereof.

Application is allowed, as prayed for.

CRM stands disposed of.

Main case

Petitioner seeks bail pending trial in FIR No.26 dated 2.2.2014 dated registered under Sections 302, 307, 148, 149, 120-B, 427 and 109 of the Indian Penal Code and Sections 25, 27, 54 and 59 of the Arms Act, at Police Station City Khanna, Police District Khanna, District Ludhiana.

Notice to Advocate General, Punjab.

On the asking of Court, Mr. K.D.Sachdeva, Addl. A.G., Punjab, accepts notice.

Learned counsel for the petitioner submits that neither the petitioner was armed with any weapon nor any injury has been attributed to

the petitioner. He is inside the jail for the last more than one year. Since only four prosecution witnesses have been examined, conclusion of trial will take long time. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from SI Devinder Pal Singh, Police Station City Khanna, submits that petitioner was armed with pistol. However, no specific injury was attributed to the petitioner nor any recovery was effected. He further submits that lalkara was attributed. Since he was heading the accused party, he is not entitled for bail pending trial.

Having heard the learned counsel for the parties, after careful perusal of the record of the case and giving thoughtful consideration to the rival contentions raised, this Court is of the considered opinion that in the given fact situation of the present case, petitioner is entitled for bail pending trial. It is so said, because it is a matter of record that no specific injury has been attributed to the petitioner nor any recovery was effected from him. He is inside the jail for the last more than one year. Since out of 25 prosecution witnesses, only 4 have been examined, trial will take some time.

Keeping in view the above-said peculiar facts of the present case, the instant petition is allowed. Petitioner is directed to be released on bail pending trial on his furnishing adequate bail bonds/surety bonds to the satisfaction of learned trial Court.

Disposed of.

21.04.2015
mks

(RAMESHWAR SINGH MALIK)
JUDGE